

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Kevin, Stamp

Serial No.: 10/767,860

Filed: January 28, 2004

Atty. File No.: 7095MH-2

For: "INJECTION DEVICE"

) Group Art Unit: 3767

) Examiner: GRAY, PHILLIP A.

) Confirmation No.: 2988

) COMMENTS ON STATEMENT OF REASONS
) FOR ALLOWANCE

<p>CERTIFICATE OF TRANSMISSION</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING TRANSMITTED VIA THE OFFICE ELECTRONIC FILING SYSTEM IN ACCORDANCE WITH 37 CFR §1.6(a)(4) ON <u>November 5, 2009</u>.</p> <p>SHERIDAN ROSS P.C.</p> <p>BY: <u>Resum M. Frankel</u></p>
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Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Examiner's reasons for allowance acknowledge that features of the independent claims are not found in and/or not obvious in view of the prior art of record. Applicants agree with this characterization. However, to the extent that the Examiner in the reasons for allowance suggest that particular features are not found in the prior art, Applicants note that the Examiner's statement of reasons for allowance is the personal opinion of the Examiner as to why the claims are allowable, and should not create an estoppel. (MPEP §1302.14V.) Moreover, to the extent that the Examiner's reasons for allowance suggest that certain features of the independent claim in isolation result in the patentability of the claimed invention, the Applicants object to the reasons for allowance.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Bradley M. Knepper

Bradley M. Knepper
Registration No. 44,189
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: November 5, 2009